



PLANNING AND ZONING COMMISSION

AGENDA REQUEST

AGENDA OF: 12-10-13

**AGENDA
REQUEST NO:**

III-A

INITIATED BY: NELDA MCGEE,
EXECUTIVE SECRETARY

**RESPONSIBLE
DEPARTMENT:**

CITY SECRETARY

PRESENTED BY: GLENDA GUNDERMANN,
CITY SECRETARY

DIRECTOR:

GLENDA GUNDERMANN,

CITY SECRETARY 

**ADDITIONAL
APPROVAL(S):**

N/A

SUBJECT / PROCEEDING: MINUTES PLANNING AND ZONING COMMISSION MEETING NOVEMBER 12, 2013
APPROVE MINUTES

EXHIBITS: MINUTES PLANNING AND ZONING COMMISSION MEETING NOVEMBER 12, 2013

CLEARANCES

APPROVAL

LEGAL: N/A

**DIRECTOR OF
PLANNING &
CODE SERVICES:**

DOUGLAS SCHOMBURG



RECOMMENDED ACTION

Approve Minutes of Planning and Zoning Commission meeting November 12, 2013

EXHIBITS

STATE OF TEXAS §
COUNTY OF FORT BEND §
CITY OF SUGAR LAND §

**CITY OF SUGAR LAND
SUGAR LAND PLANNING AND ZONING COMMISSION MEETING
TUESDAY, NOVEMBER 12, 2013**

REGULAR MEETING

The City of Sugar Land Planning and Zoning Commission convened in a regular meeting, open to the public and pursuant to notice thereof duly given in accordance with Chapter 551, Government Code, Vernon's Texas Codes, Annotated, as amended, in Sugar Land City Hall within said City on Tuesday, November 12, 2013, at 5:30 o'clock P.M. and the roll was called of the members; to wit:

Kathy Huebner, Chairman
Gregory Schmidt, Vice Chairman
Lars Hagen, 2nd Vice Chairman
Carl Stephens, Commissioner
Joan Berger, Commissioner
Sean Burnett, Commissioner
Heather Davis, Commissioner
Sue Sanchez, Commissioner
Leo Weinberg, Commissioner

QUORUM PRESENT

All of said members were present, with the exception of Commissioner Burnett, who arrived at 5:34 p.m. and Commissioner Davis, who arrived at 6:37 p.m. Commissioner Stephens's departure: 7:35 p.m.

Also present were:
Council Member Steve Porter
Douglas Schomburg, Director of Planning and Code Services
Ruth Lohmer, Principal Planner
Meredith Riede, Assistant City Attorney
Nelda McGee, Executive Secretary and
A Number of Visitors and Staff

CONVENE MEETING

Chairman Huebner convened the session, open to the public, to order at 5:30 o'clock P.M.

ORIENTATION

Chairman Huebner introduced orientation for members of the Planning and Zoning Commission and recognized Council Member Steve Porter in attendance.

ORIENTATION (CONTINUED)

Mr. Douglas Schomburg, Director of Planning and Code Services, stated orientation includes an overview of City Planning; Long Range Planning and the Comprehensive Plan; Development Planning; and legal issues.

City Planning

Mr. Schomburg stated the Department of Planning and Code Services focuses on development reviews, zoning, and code compliance; oversees code enforcement and rental licensing programs; and serves as liaison to the Planning and Zoning Commission. The Department of Transportation and Long Range Planning focuses on transportation planning, policy, long range planning, and Comprehensive Plan, Master Plans, and Demographics.

Mr. Schomburg serves as Director of Planning and Code Services, Ruth Lohmer, serves as Principal Planner, Development Planning, Nicole Guevara, serves as Registered Sanitarian and Code Compliance Administrator. The Development Planning team includes: Mark Donohue, Planner II; Jake Nitchals, Planner II; Gretchen Pyle, Development Review Coordinator; and Eleanor May, Development Review Coordinator. Stacie Henderson currently serves as Interim Director of Transportation and Long Range Planning, assisted by Lisa Kocich-Meyer, Principal Planner; Cathy Halka, Senior Planner; and Amanda Almgren, Management Assistant. Planning serves as staff liaison to the Commission; staff advises the Commission, prepares case materials, coordinates with other City staff, and provides research and answers to questions throughout the planning process.

Authority for the Planning and Zoning Commission is through the City Charter and Texas State Statute [Chapter 211 (Zoning) and 212 (Subdivision Regulations)]. The Commission is the final authority on subdivision platting for residential and commercial and the recommending body to City Council for master plans, general land plans, rezoning cases, conditional use permits, and Capital Improvement Program (CIP).

City Planners provide development guidance by facilitating long-range planning, coordinating and encouraging public input, educating the public, providing technical recommendations, coordinating post-adoption plan implementation, and performing regulatory review.

Benefits of planning include:

- Represents community values
- Provides policy direction for physical development to applicants, the Planning and Zoning Commission, and City staff
- Provides notice to citizens and developers
- Empowers and obligates the City to sustain and build upon existing quality
- “Staying Power”

Early planning and zoning elements focus on separating incompatible land uses and/or congestion issues. The City is required to plan if there is zoning.

ORIENTATION (CONTINUED)

Large area planning is used to convert large, state-owned tracts of property to developments like Imperial and Telfair. Because the state held on to some of these areas for so long, most of the surrounding area has been developed; it is infill to a certain degree, but on a very large scale.

Council Member Porter asked about a school in his District that has a color scheme different from any facility in the City. **Mr. Schomburg** stated that the Planning and Zoning Commission has the ability to regulate private schools through conditional use permits; under current state law, the particular school in question is a charter school and is exempt from zoning. Color schemes and color regulations are handled through deed restrictions; the City has no color ordinances, only material finish ordinances.

Staff was asked how the vision for the City future affects planning efforts in the present. **Mr. Schomburg** replied regulations should be tailored to help implement the overview and broad principles of the Comprehensive Plan. The vision for the City guides the Commission in making recommendations to Council concerning zoning, annexation, facilities, and infrastructure, as opposed to the platting process.

Council Member Porter mentioned that he had seen discussions in the minutes about aesthetics, how many trees should be around a facility and the height, and asked if these requirements are embedded in the guiding documents. **Chairman Huebner** stated the City has landscape requirements, but a Planned Development (PD) District or Conditional Use Permit can help mitigate screening or visual issues. **Mr. Schomburg** explained that a PD is a custom zoning district; staff can make recommendations that exceed or vary from the standard regulations. Planned Developments are site specific and contain more detail than regular zoning. Council Member Porter asked if the PD requirements are determined by Commission consensus. Mr. Schomburg responded the Commission concurs on a recommendation to City Council, which makes the final determination.

Commissioner Sanchez asked if there were any guidelines for what the Commissioners can discuss with a citizen who contacts them personally about the minutes or an item on the agenda. **Mr. Schomburg** stated the City encourages people to come to the meetings and speak about any item of concern on the agenda. If they have a particular question, the Commissioners can direct them to staff. **Chairman Huebner** stated the preference is for citizens to share information with all the Commissioners during the public hearing. If the item is not scheduled for public hearing, they can speak during the Public Comment portion of the agenda.

Transportation Planning and Policy

Ms. Lisa Kocich-Meyer, Principal Planner, stated Transportation planning and policy defines the City mobility vision in the Comprehensive Mobility Plan adopted by the City Council. The department leads organization-wide mobility efforts, coordinating through the Comprehensive Mobility Plan and the Houston-Galveston Area Council (H-GAC) on regional mobility issues, and pursues regional mobility funding through the Metropolitan Planning Organization (MPO), which is led by H-GAC.

ORIENTATION (CONTINUED)

Comprehensive Mobility Plan

The Comprehensive Mobility Plan was adopted in May 2011 and coordinates mobility and the City mobility vision across all modes of transportation: commuter transit; intra-city transit; pedestrian/bicycle; and automobile. The plan involved extensive public input, including a community mobility summit and citizens' task force. Mobility projects implemented as a result of the Comprehensive Mobility Plan include:

- Comprehensive rail crossings plan (Engineering)
- Walking and biking (Parks and Recreation)
- Pedestrian/Bicycle Master Plan Update
 - Implementation of identified projects

Transportation Funding

Transportation and Planning coordinates with the Houston-Galveston Area Council (H-GAC) to secure transportation funding. Advocates for funding, monitor grant opportunities that align with implementation projects and/or the City vision, and work with the City Council appointee on Transportation Policy Council.

Long-Range Planning

Long Range Planning Department focuses on updating and implementing the Comprehensive Plan, master plans, and serves as the contact for internal and external demographic requests. Staff receives guidance from Chapter 211 (Zoning) and 213 (Comprehensive Planning) of the Texas Local Government Code, which states a comprehensive plan and zoning are optional; if you have zoning, you have to have a comprehensive plan, if you have a comprehensive plan, you have to follow it.

Comprehensive Plan

Common characteristics of a comprehensive plan include:

- Definition of the city now and what it wants to be in the future
- Physical plan – where and how the city will grow
- Long range planning – assumes total build-out of a City (within current city limits and all extra-territorial jurisdiction)
- Comprehensive planning - involves all aspects of the City
- Policy guidance and direction - guides the master plans and any submittals received for zoning and/or site planning

ORIENTATION (CONTINUED)

Transportation and Long Range Planning focuses on achieving goals found in the Comprehensive Plan:

- Goal A: Safe Community
- Goal B: Beautiful Community
- Goal C: Inclusive Community
- Goal D: Environmentally Responsible Community
- Goal E: Destination Activity Centers
- Goal F: Great Neighborhoods
- Goal G: Superior Mobility
- Goal H: Outstanding Cultural Arts, Educational, and Recreational Opportunities
- Goal I: Regional Business Center of Excellence
- Goal J: Balanced Development and Redevelopment
- Goal K: Community Pride in Sugar Land

Chapters 1-5 of the Comprehensive Plan were adopted in July 2012 based on Vision 2025, which was developed and approved by City Council in 2009. The update includes demographic modifications from the 2010 Census and the Future Land Use Plan Map Update. Updates for Chapter 6 began in 2013 and focus on the Land Use Master Plan. All master plans come before the Planning and Zoning Commission for recommendation to City Council.

Future Land Use Map

The Future Land Use Map shows Sugar Land is primarily residential with pockets of commercial. Most of the changes from 2012 focus on the area south of the Brazos River. The updated map shows two new land use classifications: Estate Residential and Rural Agricultural. The areas south of FM 2759 and west of Crabb River Road have been identified and recommended for future release from the City of Sugar Land Extraterritorial Jurisdiction to another jurisdiction as details are worked out. Coordinating efforts need to take place before the areas can be fully released to a specific jurisdiction, but the areas were identified due challenges with providing services across FM 2759 and the railroad track that runs to the south. City Council has referred to this as the “logical boundaries plan.”

Master Plans

Master plans are tools for implementing the overall vision of the Comprehensive Plan; the plans document policy and develop annual work plans and projects for the City to pursue through the Capital Improvement Program or Strategic Projects. There are eight master plans:

- Land Use
- Parks Recreation and Open Space
- Pedestrian and Bicycle
- Water
- Wastewater
- Drainage Municipal Facilities
- Thoroughfare

ORIENTATION (CONTINUED)

The Land Use, Water, Drainage, and Municipal Facilities plans are currently being updated. All of the documents will come before the Planning and Zoning Commission as a recommending body to City Council.

Other guiding documents include the Comprehensive Mobility Plan and Economic Development Plan. These are not official master plans, but do provide overall guidance for specific topic areas.

The Long Range Planning Department oversees the master plan update process to ensure a consistent approach, standardize content and format, obtain public input, and provide guidance through the approval process. Each of the master plans has owning departments, but Long Range Planning oversees the process through:

- Annual review and evaluation
- Scoping and selection
- Plan development
- Plan approval and adoption
- Implementation and reporting

Demographics

The Long Range Planning Department is the point of contact for demographics and projections for the City. They do an annual land use inventory for the City and Extraterritorial Jurisdiction (ETJ), provide projections for use in master plans, grant applications, budgeting and coordinate response to the Census.

Chairman Huebner asked how the Estate Residential classification differed from Alkire Lakes or Sweetwater Estates. **Ms. Kocich-Meyer** stated the residential estate lots are two acres or more; Sweetwater was 1.5 acres or more. **Mr. Schomburg** added that Alkire Lakes and Sweetwater Estates are under zoning classification; Estate Residential is a land use designation, a lower impact use than R-1. **Ms. Lohmer** stated that prior to this effort, all single-family was under one category; staff felt it was important to designate development as estates due to constraints imposed by transportation in the area. **Mr. Schomburg** noted that the land is more fragmented than Frost Ranch was with Riverstone and Telfair and Imperial properties. It is more affected by flood plain and floodway; it would take massive amounts of infrastructure and coordination between property owners to develop a subdivision like Riverstone or Telfair. **Commissioner Schmidt** questioned whether the estates would have their own water well and septic systems. **Mr. Schomburg** replied they would have to have a public system or receive a variance through the subdivision process. **Ms. Lohmer** noted that it is important to remember the City does not have zoning authority in the ETJ; the City is limited in what it can do unless the developer requests approval of a Municipal Utility Agreement and Development Agreement. The land use designation provides guidance for development decisions.

Development Planning

Ms. Ruth Lohmer, Principal Planner, stated the development process consists of zoning review, subdivision review, and site development.

ORIENTATION (CONTINUED)

Zoning Review

The types of zoning review are:

- Permanent Zoning
 - Change interim zoning applied at annexation
 - Initiated by City or at owner's request
- Rezoning
 - Standards Rezoning and Planned Developments
- Conditional Use Permit
 - Site specific
 - Determines if proposed use is appropriate

Items for the Planning and Zoning Commission to consider when reviewing zoning cases include:

- Land Use Plan, Comprehensive Plan, Master Plans
- Impacts to existing and future land uses
- Impacts to infrastructure
- Legislative action (high level of discretion)
- Recommendation to Council

Permanent zoning or rezoning is used to change the interim zoning applied when the property was annexed and can be initiated by the property owner or City. Recent cases included the City-initiated request to rezone Eldridge Road from M-1 to B-2 and the property owner request to rezone Memorial Hermann from R-1 to B-2 and B-O.

Residential Zoning Districts include:

- R-1: Standard Single-Family Residential
- R-1R: Restricted Single-Family Residential
- R-1E Residential Estate
- HR-1: Hill Area Residential
- R-1Z: Zero Lot Line Single-Family Residential
- R-2: Two-Family Residential
- R-3: Townhouse Residential
- R-4: Multi-family Residential

Other City Zoning Districts include:

- MUC: Mixed Use Conservation
- B-1: Neighborhood Business
- B-2: General Business
- B-O: Business Office
- M-1: Restricted Industrial

ORIENTATION (CONTINUED)

- M-2: General Industrial
- PD: Planned Development District

The Planned Development District allows the owner to propose a development that does not exactly comply with the regulations of the primary zoning districts, but does provide an overall design, increased open space, or other features that result in a superior development or offer special benefits to the community. A Planned Development District may not be used for the primary purpose of avoiding the zoning regulations applicable to the primary zoning district. Minimum size requirements of the Planned Development District are:

- Residential only – 10 acres
- Residential and Commercial – 25 acres
- Commercial only – no minimum

The Commission can recommend approval of a planned development district with less land than specified, if the developer demonstrates that a smaller district would achieve the intent of the district.

Staff analysis of the planned development district is based on:

- Compliance with General Land Plan and Comprehensive Plan
- Consistency with previous policy decisions from other PDs and guiding documents
- Traffic/Utilities/City Infrastructure
- Consistency with good planning principles

Planned Developments provide City specific details about proposed development earlier in the process and provides the developer the opportunity to request alternative standards. **Mr. Schomburg** stated that state law prohibits cities from putting conditions on zones; the PD process allows customization. Recent cases include shared parking in Town Square Planned Development and sign regulations in Telfair Center Lakefront Planned Development.

It is the applicant's responsibility to propose specifics in the Planned Development. Staff reviews the proposal and provides comments prior to Planning and Zoning Commission review.

Planned Developments are a two-step or one-step process: the two-step process includes the General Development Plan (GDP) and Final Development Plan (FDP); the one-step process only involves the Final Development Plan. Imperial Planned Development included the General Development Plan for all of Imperial/Tract 3 and added the Ballpark Lofts (multi-family residential) and Single-Family and Entry Sign Feature in the Final Development Plan.

Chapter 9 of the Development Code states the Planning and Zoning Commission will serve as the Airport Zoning Commission, which occasionally reviews airport zoning related to land use (AZ-01 and AZ-02), especially Telfair and Imperial near the airport. A separate workshop/orientation will be provided if a case comes forward. The Zoning Board of Adjustment is charged with hearing height variances. City regulations are more restrictive than Federal Aviation Administration regulations.

ORIENTATION (CONTINUED)

Ms. Lohmer reviewed the Conditional Use Permit zoning process, stating eligible uses are listed in the land use matrix with a “C.” The conditional use permit is a site specific determination of the appropriateness of the use within the district. Hotels, private schools, and churches are uses that require a CUP. The Planning and Zoning Commission can recommend denial if Commissioners do not feel the negative impacts to the area can be mitigated or approval with specific site-related conditions like buffering, landscaping, and screening. *Ms. Lohmer* stated the CUP for Alpha and Omega Church had the goal of limiting the impact to surrounding single-family residential. The CUP required additional trees, no outdoor speakers, only opaque windows, and shielded exterior lighting.

Council Member Porter stated the church is used more frequently and by more people than normally expected and asked about the City ability to regulate attendance and parking. *Mr. Schomburg* replied that the City is limited in the ability to restrict religious organizations by state and federal law and cannot regulate the popularity of a use. It was noted that the hours of use were restricted in the CUP. *Ms. Lohmer* stated that the church has not built the new building; the existing building and operations cannot be regulated. Staff was asked to research the hours of operation for the church.

Subdivision Review

Ms. Ruth Lohmer, Principal Planner, stated that subdivision review includes examining previously approved plans/plats or the Comprehensive Plan to determine compliance with the Subdivision Regulations. Subdivision review is an administrative action; if the subdivision meets the standards in the Subdivision Regulations, the Commission has to approve. The Planning and Zoning Commission is the final authority on plats. Subdivision Regulations items that go to City Council for approval include:

- The General Land Plan
- Planned Unit Development

Site Development

General Land Plan Review

The General Land Plan Review determines compliance with the Comprehensive Plan, specifically in relation to proposed land uses and major streets.

Planned Unit Development

The Planned Unit Development (PUD) is only in the City Extraterritorial Jurisdiction (ETJ); and is similar to the Planned Development in the City, but much more limited. A PUD can be requested for alternative standards from the Subdivision Regulations and deals primarily with lot sizes, setbacks, open space, and private streets.

ORIENTATION (CONTINUED)

Majestic Pointe at Riverstone is an approved Planned Unit Development showing lot layout and street configuration, an extra step in the planning process that would normally be seen during platting. **Mr. Schomburg** commented that the developer has to plat the property in accordance with the PUD or come back for a new one.

Preliminary Plat Review

Preliminary Plat review includes:

- Compliance with Zoning (if in City)
- Compliance with General Land Plan
- Overall street layout
- General lot dimensions
- Building setbacks
- General utility layout

City standards do not require easements or notes on the preliminary plat. The review is to determine if the lots and streets meet the minimum standards.

Final Plat Review

The Final Plat review determines:

- Compliance with the Preliminary Plat
- Street layout, dimensions, radii
- Specific lot dimensions
- Building setbacks
- Easements
- Approval/certification blocks and standard notes
- Infrastructure construction plans

Administrative Plats

Administrative Plats are done in very limited cases; are reviewed by staff and approved by the City Manager, Mayor, and City Secretary. Administrative plats represent about 30% of the plat work done. The property must have access to utilities and public streets to qualify for an Administrative Plat.

Staff Responsibilities

Staff provides developer and citizen assistance, ensures applications are ready for Commission review, facilitates meeting set-up, and posts public hearing notices in compliance with state law. Staff makes recommendations to the Commission, including written staff reports/agenda requests and oral presentations.

ORIENTATION (CONTINUED)

The Development Review Committee (DRC) examines traffic impact analyses, drainage review, and other technical reviews. The DRC is co-chaired by Development Planning and Engineering and is attended by departments concerned with various development areas:

- Fire
- Water Utilities
- Public Works (Traffic Engineering)
- Parks and Recreation
- Permits and Inspections

Following plat approval staff is responsible for:

- Subdivision plat recordation
- Site plan package reviews
 - Additional Traffic Impact Analysis as warranted
 - Drainage/Detention review
 - Fire Code review
 - Bulk Regulations
 - Other zoning and Code requirements
- Building permit reviews

Commissioner Hagen asked about the requirements for a superior development in Planned Development Districts. **Ms. Lohmer** replied there are no specific requirements for a superior development; “superior development” is determined by the Commission and City Council. The Development Code states that Planned Development should either be a superior development or provide a special benefit to the community. **Mr. Schomburg** stated that staff will point out what exceeds code in Planned Developments and CUPs; if it is a proximity issue, staff recommends special buffering or customized use list for different properties that could not be done through standard zoning. City Council adopted Resolution 10-21 to address future multi-family and townhome development in a PD.

Council Member Porter questioned why developers complain to him about the Planned Development process, if it provides more flexibility and they are the ones who initiated it. **Mr. Schomburg** stated that the developer is not always the one requesting a PD; City Council decided that all commercial development in Telfair would be the PD process and Imperial would be Planned Development.

Mr. Schomburg stated that Commissioner packets include a set of official policies and procedures including:

- Charter provisions
- Duties and officers
- Attendance
- Quorum
- Hearings
- Workshops
- Ethical conduct under Code of Ordinances.

ORIENTATION (CONTINUED)

The major change is there are no longer term limits for Commissioners; the terms are for one year and may continue indefinitely.

Legal Department

Ms. Meredith Riede, Assistant City Attorney, discussed the Open Meetings Act, conflict of interest, and applicant contact with Commissioners. Ms. Riede commented on applicant contact with Commissioners, stating that the unspoken policy is if it is important enough for one Commissioner to hear, it is important enough for all Commissioners to hear; it is only fair that everyone have the same information to make a decision and vote on. If someone comes to a Commissioner individually, that Commissioner needs to tell staff, so they can relay the information to everyone.

It is required that each Commissioner receive training on the Open Meetings Act through the Office of City Secretary or the Attorney General site. A quorum discussing public business or receiving information from or providing information to a third party constitutes a meeting. A quorum of the Planning and Zoning Commission consists of five members (simple majority). The Open Meetings Act does not apply when a quorum goes before the legislature, attends a class or convention, or attends a special event like the tree-lighting ceremony. A meeting of less than quorum could be a violation of the Open Meetings Act, if the Commissioners are meeting to purposefully circumvent the Open Meetings Act. This includes sub-committee meetings for the purpose of making recommendations to the Commission to “rubber stamp” approval. The “walking quorum” issue occurs when one Commissioner sends an email and the recipient replies to all or a telephone call or text that is forwarded; once the message is received by five Commissioners, there is a quorum and a violation. Violation of the Open Meetings Act constitutes a misdemeanor (\$100-\$150.00 fine and up to 6 months in jail); the Assistant City Attorney will face criminal charges if this is not reported to the Attorney General. Exceptions to the Open Meetings Act: Commissioners discuss only items on the Agenda, unless the Commission goes into Closed Executive Session for discussion with the attorney.

Conflict of Interest is regulated by Chapter 171 of the Local Government Code under Substantial Interest in Real Property or a Business Entity. Because Commissioners are the final voting authority on plats and a public official, Commissioners have to disclose information on items that come before the Board that they may have a substantial interest in. For a business entity, substantial interest is defined as owning 10% of the stock of that company; or 10% of last year’s gross income came from that business; or you have ownership value or 10% or more or have \$15,000.00 or more of the fair market value; or if a close family member meets any of these requirements. A substantial interest in real property is defined as \$2,500.00 or more equitable interest in the property. If a substantial interest is determined to exist and the vote would have a greater impact on the Commissioner than it would the general public, the Commissioner must file an affidavit with the City Secretary, recuse himself and leave the meeting room during the proceedings.

Mr. Schomburg commented on applicant contact, stating that in the past, when a developer wanted to show the Commission something unique like multi-family designs, the Commissioners took a tour of similar sites and the tour agenda was posted.

Chairman Huebner advised the Commissioners to contact Ms. Riede if they had concerns regarding conflict of interest.

RECESS

Chairman Huebner recessed the meeting, time 6:48 o'clock, p.m.

RECONVENE

Chairman Huebner reconvened the regular session, time 6:54 o'clock, p.m.

PUBLIC COMMENT

Chairman Huebner introduced Public Comment stating that citizens desiring to address the Planning and Zoning Commission with regard to matters on the agenda would be received at this time.

There were no public comments.

MINUTES

Chairman Huebner introduced consideration on the minutes of the regular City of Sugar Land Planning and Zoning Commission meeting held October 24, 2013.

The following correction was requested:

- Page 4, Paragraph 5: Correct spelling of "Stevens" to "Stephens"

Following a full and complete discussion, *Commissioner Schmidt*, seconded by *Commissioner Stephens*, made a motion to approve the minutes of the regular City of Sugar Land Planning and Zoning Commission meeting October 24, 2013, as amended. The motion carried unanimously.

FACT, FINDING, AND RECOMMENDATION

GREAT LAKES GENERAL LAND PLAN MINOR AMENDMENT NUMBER ONE

Chairman Huebner introduced consideration on a recommendation to the Mayor and Members of City Council on Greatwood Lakes General Land Plan Minor Amendment Number One.

Ms. Ruth Lohmer, Principal Planner, stated the original Greatwood Lakes General Land Plan was approved in 2010 for 100 acres in the City Extraterritorial Jurisdiction, with Crabb River Road to the west and Greatwood to the north; utilities to be served by Fort Bend Municipal Utility District Number 192. The approved General Land Plan shows a connection to Macek Road, adjacent to existing Lamar Consolidated Independent School District elementary school located on the corner of Macek Road; the road will extend into the development with a step-out for a connection to a future development east of the property; another point of access is a connection to FM 2759. These points of connection exist in the proposed General Land Plan. The area is predominantly single-family residential with a lake for detention and amenity, a park that retains many of the large trees in the area, and an area reserved for future expansion of Rabbs Bayou for drainage purposes.

GREAT LAKES GENERAL LAND PLAN MINOR AMENDMENT NUMBER ONE (CONTINUED)

Primary changes to the General Land Plan include a decrease in the number of single-family residential lots from 254 to 237; changes to the local street pattern (no Traffic Impact Analysis required); and changes to the size of the lake/detention area.

Staff supports a recommendation to the Mayor and members of City Council for approval of Greatwood Lakes General Land Plan Minor Amendment Number One.

Referring to the drawing, **Commissioner Stephens** questioned which section the cul-de-sac is located in; **Ms. Lohmer** responded the cul-de-sac was located in Section Two stating the applicant will label the drawing.

Staff was asked to change “Riverstone General Plan” to “Greatwood Lakes General Land Plan” in the Exhibits section of the staff report.

Commissioner Schmidt asked for clarification regarding the curvy blue line shown on the drawing. **Mr. Geoff Freeman, Kerry Gilbert and Associates**, responded that the line represents Rabbs Bayou. Commissioner Schmidt asked if the limits of the flood plain were based on current maps or those that would be coming online in April. **Mr. Shashi Kumar, Senior Engineer** responded the limits shown are based on the letter of final determination, stating the new maps will go through the adoption process in January or February 2014.

Staff was asked if Section Two would require a letter of map revision. **Mr. Kumar** responded no. The line shown demonstrates the backwater effect of the Brazos River; the developer will fill and elevate the area above the Base Flood Elevation (BFE) so they can develop the tract. The applicant submitted a drainage analysis that has been reviewed and approved by the City and County.

Staff was asked to clarify the lines for drainage and open space and the lift station currently extending into Macek Road in the upper northeast corner of the drawing. The applicant indicated this is a graphical representation and will be taken care of in the plats.

Commissioner Hagen asked about the City concern with detention maintenance, citing the Staff Report Parkland Provision for “payment of fees in lieu of public park land dedication per Chapter 5, Section 5-30 (B) (2) (c) of the Sugar Land Development Code is appropriate for this development due to the limited size of acreage and the potential for detention pond maintenance.” **Ms. Lohmer** responded that the City does not assume maintenance responsibility for a park or amenity area that includes a detention facility like the lake. Amenity space around the lake can count towards the requirement, but the detention pond will not be dedicated to the City. Ms. Lohmer stated that in a small development the dedication requirements are minimal (2.5 acres); from a maintenance standpoint, the City prefers not to be in the business of maintaining small pocket parks, the decision was made to accept the fees in lieu of the public park dedication.

**GREAT LAKES GENERAL LAND PLAN MINOR AMENDMENT NUMBER ONE
(CONTINUED)**

Following a full and complete discussion, *Commissioner Stephens*, seconded by *Commissioner Burnett*, made a motion to recommend to the Mayor and Members of City Council approval of Great Lakes General Land Plan Minor Amendment Number One, with condition to add labeling to the cul-de-sac in Section Two and clarification of the lines for the drainage/open space/lift station extending into Macek Road. The motion carried unanimously.

WORKSHOP: HOLY CROSS EPISCOPAL PLANNED DEVELOPMENT DISTRICT

Chairman Huebner introduced review and discussion on permanent zoning for 18 acres, Holy Cross Episcopal Planned Development District.

Mr. Mark Donohue, Planner II, stated the proposed Final Development Plan (FDP) for Holy Cross Episcopal Church consists of 18.41 acres was annexed into the City in December 2009, and is currently zoned Interim Standard Single-Family; the proposed zoning is Planned Development District. The existing church on the project site is 23,000 square feet, and a future nursing home facility is proposed for Site B.

The uses proposed in the FDP are similar to Business-Office District, including financial, medical, accounting, and engineering office uses. The surrounding land uses adjacent to this site include undeveloped land to the north; single-family residential to the west; fast food drive-through restaurants and commercial complex to the south; and a 9-acre tract owned by the Church that is not included in the FDP and the Grand Parkway are located to the east.

The applicant is proposing a 7,000 square foot expansion to the 23,000 square-foot existing church, for a total of 30,000 square feet. The applicant has responded to staff's request to provide a 40-foot wide landscape buffer including 1 tree per every 30 linear feet adjacent to the western boundary of the project site. The applicant has also added an additional 20-foot setback to the 40-foot landscape buffer adjacent to Site and Site B, for a total 60-foot setback from the property line to existing single-family residential. A 70-foot wide access easement is proposed west of RiverPark Drive that will service Site A, Site B, and Site C in the future.

Land uses have not been determined for the 9-acre site that is not part of the Final Development Plan. Representatives from the church have had discussions with representatives from the Grand Parkway Association to determine how many curb cuts will be allowed along Grand Parkway, which could dictate the types of uses for the site. The applicant is aware a new zoning application will be required for this site when the area is ready for development.

Staff recommends that the Plan include a paved connection between the existing drive access aisle which services the church from West RiverPark Drive in Site A and the primary access easement serving Site B and Site C in the future. The connection will provide better vehicular circulation between sites A, B, and C and allow motorists to take advantage of the existing median cut along West RiverPark Drive. If the paved connection is not provided, motorists will have to continue along West RiverPark Drive, travel underneath the overpass, execute a U-turn, come around and make a right-hand-turn onto the primary access easement. The paved connection will typically have a 6-foot to 15-foot wide landscape buffer adjacent to the sidewalk along West RiverPark Drive, followed by a 24-foot wide paved access

WORKSHOP: HOLY CROSS EPISCOPAL PLANNED DEVELOPMENT DISTRICT (CONTINUED)
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connection. The FDP is customizable to accommodate vehicles traveling to Site B and C in the future. Staff believes the traffic generated by Site B should not have an adverse impact on the implementation of the proposed paved access point connecting the sites. Staff is aware a portion of the landscaped area may be disturbed with the construction of the connection.

Staff recommends the Final Development Plan provide for parking lot screening adjacent to the proposed primary access easement, including trees and shrubs. The landscaping will improve the overall aesthetics of the site and screen vehicles from the primary access easement and Grand Parkway.

The applicant designed a parking lot for Site C to accommodate a future park to the north of the project site. The church and City have discussed the potential for the City to acquire land to the north for a future public park. Staff recommends that Site C be allocated for a future parking lot or future park use due to the size of the site, approximately 1.4 acres.

Staff requests that Exhibit B to the Final Development Plan be updated to reflect the 15-foot wide building setback depicted in Exhibit C-3. Exhibit C-3 should be updated to reflect the primary access easement instead of the primary access road. Exhibit C-4 illustrates pedestrian circulation throughout the site, the Final Development Plan does not provide for an internal sidewalk; staff believes a minimum 5-foot wide sidewalk should be located adjacent to primary access easement to provide appropriate pedestrian connectivity throughout the site. Staff recommends the development of the sidewalk in phases with the future development of the proposed nursing and personal care facility and future expansion of the church.

Preliminary points for the Commissions consideration include:

- Secondary finishes have not been determined
- Submitted Traffic Impact Analysis currently under staff review
- Staff will continue to work with applicant to revise Final Development Plan as necessary for future public hearing

Ms. Sabine Kuenzel, Milestone Solutions, Incorporated, addressed the Board on behalf of the applicant, and introduced the project team:

- Scott Thompson, Rector
- Robin Ritchie, Chairman of Land Committee
- Mark Kurtz, Vestry Member and Land Committee Member
- Fields Leakes, Land Committee Member (not present)
- Darin Gosda, CPA, Agent (not present)
- Alan McClain, Property Surveyor, Brown and Gay Engineers, Inc. (not present)
- Jason Knesek, Traffic Engineer, Knesek and Associates (not present)
- Architects: AutoArch, Inc.
- Sabine Kuenzel, Planner

WORKSHOP: HOLY CROSS EPISCOPAL PLANNED DEVELOPMENT DISTRICT (CONTINUED)
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Commissioners viewed site photos of the existing sanctuary and surrounding sites and Final Development Plan Exhibits for the nursing home site with building envelope and potential parking, the church site with building envelope for maximum 30,000 square feet, the existing parking lot and potential expansion, cross sections, and pedestrian circulation. **Ms. Kuenzel** stated that sidewalks were not shown for Site A and Site B; the plan is to add them at the time the commercial development is brought forward. Height restrictions for the nursing home are included in Exhibit B text that will mirror existing residential; a landscape buffer will be put in to further protect the residential.

The team is working to complete the requested changes to the Final Development Plan, and would like the Commission to further consider two of the issues: the driveway connection in front of the sanctuary and deferring the internal sidewalk. Points of consideration for the driveway connection include:

- Retrofit of an existing site
- Anticipated future expansion too small to warrant a connection (cost benefit analysis)
- Drive would disrupt sanctuary services with cut-through traffic
- Connection would be in an area where families currently access outdoor activities

Mr. Robin Ritchie, Member of Holy Cross Episcopal Church and Chairman of the Land Committee, stated the proposed location of the drive is not conducive to church activities and would be disruptive to the service from the windows view from the sanctuary. There is no benefit to the church and the traffic to the 100-bed nursing home would not be significant enough to warrant the connection. The church did not have use of the median cut for 6 or 7 years before it was constructed. **Father Scott Thompson, Rector of Holy Cross Episcopal Church**, agreed that the driveway would be disruptive to the service and noted that the area was used for children's bounce houses and pony rides, which would have to be relocated.

Ms. Kuenzel addressed the issue of the sidewalk requirement, stating that the church does not need the connection point since it will not develop, redevelop, expand, or put in a park until the far distant future; if the nursing home facility is built, then a sidewalk connection would be needed. There are potential connection points in the future on the commercial side, which is not part of the PD that could change the sidewalk and road connectivity. Deferring the sidewalks would be a more comprehensive approach to installation. The future commercial development will be a more likely funding source than the church.

Commissioner Hagen asked how the Planned Development would be of special benefit to the community. Ms. Kuenzel replied that City staff suggested the church submit a Planned Development District versus a Business Offices (B-O) District to ensure appropriate screening, landscape buffering from residential, and to refine the use list. **Chairman Huebner** asked staff if City Council requested this be developed as a PD. **Ms. Lohmer** responded no; the church has the ability to request standard zoning for the property. Staff was primarily concerned with the use of the nursing home, which is only allowed by conditional use permit in the Business Office, the most appropriate zoning based on the adjacent residential.

**WORKSHOP: HOLY CROSS EPISCOPAL PLANNED DEVELOPMENT DISTRICT
(CONTINUED)**

Staff suggested the PD approach because it would allow additional landscaping and setbacks not required with standard zoning and the ability to see land layout at the zoning level. Commissioner Hagen asked if the Commission would be able to look at the landscape buffering, setbacks, and screening with a CUP. Ms. Lohmer confirmed, but said it would be site specific, not for the overall 18-acre property.

Concern was expressed that there is no agreement on access and it is unknown if there will be any Grand Parkway curb cuts. **Ms. Kuenzel** stated the church does not have a buyer for the property in the near future; it is difficult to determine a use list, location of building envelopes, or how the site may be portioned at this time. **Commissioner Hagen** asked if there are no curb cuts, would access to the section not included in the PD be gained from the road on the back of the property. Ms. Kuenzel confirmed. The consultant was asked if the proposed parking for Site C would be public parking and if a public access easement is needed. **Ms. Kuenzel** stated it could potentially be public parking. **Ms. Lohmer** stated the City may eventually acquire the property located on the other side of the levee for a park; the Parks Department has been working with the property owner to provide a space for potential parking on this side of the levee. The location is the best space for the church and City to locate parking. An agreement has not been reached to purchase the property, but the planning acknowledges that the City wants access to the potential park from the site.

Ms. Kuenzel clarified there are two different potential parks. **Mr. Ritchie** stated the church is considering the possibility of RiverPark Homeowners Association acquiring land at the appropriate time to expand their park and include a recreational area and dog park as part of the Homeowners Association. The other potential park is an extension of the Sugar Land public trail and bike system in the public park. The church owns the 14 acres behind the levee and has received an offer from the City for the land. The Site C parking originated from discussions with Parks and Recreation staff regarding the layout and where the potential trail led and the entry of the park; it is potentially for benefit of the City and Sugar Land parks system. **Commissioner Hagen** commented that RiverPark residents trying to access the park from Wimberley Canyon Drive, taking a left on West RiverPark Drive, would have to go across and make the U-turn. He noted that there is typically much greater detail at this point in the PD for traffic and pedestrian connectivity and parking. **Chairman Huebner** commented that the detail is missing because they are waiting on feedback from the Commission. **Commissioner Sanchez** stated it is difficult to give input when you do not know how it is going to be used.

Commissioner Hagen stated that his original point was to find out what benefit there is to the community in designating the Planned Development as opposed to Business Office with CUPs; there are too many unknowns to designate a PD. **Mr. Donohue** stated that the landscaping buffers and setbacks proposed within the Final Development Plan exceed City requirements. The parking lot setback in the Business Office District would require a 20-foot wide landscape buffer; the proposed setback is double that amount. Mr. Donohue confirmed that the Commission could potentially require a larger landscape buffer as part of a Conditional Use Permit.

WORKSHOP: HOLY CROSS EPISCOPAL PLANNED DEVELOPMENT DISTRICT (CONTINUED)
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Chairman Huebner commented that although she empathizes with the church's issues putting in the access road, if they are going to sell the property, they need to provide access. Chairman Huebner asked about the turning radius if you are going west on West RiverPark Drive, turning in to the property and going to the nursing home site. **Commissioner Weinberg** said that he would be more concerned coming out the access road with drivers exiting the parking lot, turning in, making a left turn coming across through the median, and potentially blocking the entry. **Commissioner Schmidt** commented that the turning radii and other issues present a problem for the nursing home and potential retail that will tie in to several places along the access road; having the connectivity would be beneficial, but not with this design. Chairman Huebner agreed, stating her concern was the turning radii, maneuvers, and conflicts with people trying to get in and out of the church parking lot. **Commissioner Hagen** commented that he feels access needs to be redesigned and stated that there should have been one access road for the church and nursing home to the back. **Ms. Lohmer** noted that the original plan included an access road at the rear of the property, which was directly adjacent to the residential properties; staff did not feel that was appropriate for the site and asked the applicant to submit a different option. Possibilities are limited because of the way the site is currently developed.

Commissioner Hagen asked if it was unreasonable to ask for curb cuts off Grand Parkway to be defined so access to the nursing home can be determined. **Mr. Lohmer** replied the Commission can make any recommendation it deems appropriate. The church and staff wanted to include that property in the Planned Development; since it is unknown what access will look like and that affects multiple elements in the PD, the church decided to move forward with just this portion of the property. **Ms. Lohmer** pointed out that if the church decided to pursue B-O zoning and a CUP for the nursing home, there would be nothing to prevent the drive at the rear of the property. The CUP would be for the nursing home; the drive would be on property owned by the church, so it would not require a CUP. Ms. Lohmer noted that the Business Office District height restriction is unlimited, except for bulk plane; the applicant is recommending a 35-foot maximum height restriction in the PD, which is significant in terms of impact to neighboring residential. Commissioner Hagen commented that the height would be limited by the proximity of the residential and asked staff what height would be using the bulk plane. Ms. Lohmer replied that she would have to calculate the exact height, but it would be more than 35 feet.

Commissioner Weinberg questioned the minimum distance requirement for a curb cut on Grand Parkway and whether there is room for another curb cut on West RiverPark Drive, closer to where they want to put the access road. **Ms. Lohmer** replied the minimum requirement is 165 feet from the Grand Parkway and existing driveway; there is enough room for the one access easement shown, but not for an additional connection. **Commissioner Schmidt** suggested making the connection with a driveway off the intersection of Wimberley Canyon Drive and Sparrow Branch Court and reconfiguring the parking lot to the rear of the property, away from the residential. It would require considerable work for the parking lot, but would provide significant connectivity from RiverPark through the site. It would be the best connection on this side and would eventually connect into the retail center. **Commissioner Hagen** agreed and noted that on the aerial photograph, the parking lot is much less than the parking envelope on the exhibits; he asked if parking has been expanded to agree with what is shown in the exhibits. **Mr. Donohue** stated that the parking lot is more in line with what is shown on the aerial photograph. Commissioners agreed that this solution would be the best option.

**WORKSHOP: HOLY CROSS EPISCOPAL PLANNED DEVELOPMENT DISTRICT
(CONTINUED)**

Mr. Michael Ross, 2619 Brazos Ridge, RiverPark Development, addressed the Board, stating he represented the RiverPark Property Owners Association (POA) and serves as a Director of Levee Improvement District Number Ten. The POA supports a nursing home/senior living use and believes that will have minimal impact compared to other potential uses. Mr. Ross agreed that a connection from the existing intersection would be a good solution for access to the tract; with the proper screening and landscape buffer being proposed, the POA would consider running the access road to tie in to the intersection and continuing the walls that are currently being built in RiverPark to provide acoustical benefits.

Commissioner Hagen asked if the language “excluding all permissible exceptions” [Exhibit B, Item D. Development Regulations, Note 1] was common language in all Planned Developments. *Mr. Donohue* stated that staff would prefer the applicant clarify the maximum height of the structures within the Final Development Plan. *Ms. Lohmer* clarified that the exceptions would include items like parapet walls and suggested an overall 45-foot maximum or 35-foot maximum with 10 feet for parapets. Staff will investigate what has been done on other PDs and suggest language that will include specific exceptions to the 35-foot rule.

Commissioner Hagen asked staff if there is any zoning less stringent than the Business Office District. *Mr. Donohue* explained that a comparative analysis of the proposed setbacks and other elements contained in the Final Development Plan would be provided at the Public Hearing.

Staff was asked to specify the plane in Exhibit B, Item F. Building Regulations, Note 6(d): “Expression of structural bay through a change in plane.” The Commission asked how pick-up and drop-off for child day care would be enforced [Exhibit B, Item G. Additional Regulations, Note 6(b): “Pick-up and drop-off shall be via individual parent parking, escorting children to and from the vehicle”]. *Mr. Donohue* responded that this is something the applicant is proposing in regards to enforcement.

Commissioner Hagen requested that staff consider the one-foot reserve requirement for the public access easement for public parking in the rear along the undeveloped property fronting the Grand Parkway.

Commissioner Sanchez asked the applicant to expound on their concerns regarding the sidewalk. *Ms. Kuenzel* stated the original plan was to include the entire acreage; because they could not show enough detail, the potential commercial frontage along the Grand Parkway was removed. The sidewalk was proposed to be on this side, so it was excluded as well. Staff suggested switching the sidewalk to the PD side, but the applicant had three concerns:

1. Sidewalk would go in piecemeal with the potential nursing home facility
2. Sidewalk at church site would not get put in until the expansion
 - a. Would lead to day care, not sanctuary (Exhibit B and Traffic Impact Analysis)
3. Funding for sidewalk would be better supported from future commercial development

**WORKSHOP: HOLY CROSS EPISCOPAL PLANNED DEVELOPMENT DISTRICT
(CONTINUED)**

Commissioner Hagen asked how previous PDs have dealt with piecemeal sidewalk construction. **Ms. Lohmer** explained that the adjacent sidewalks get built as sites develop. **Commissioner Schmidt** asked if it mattered which side the sidewalk was built on. **Ms. Lohmer** responded that the preference is for the sidewalk to be constructed with the nursing home. **Commissioner Hagen** noted that was a requirement of the Planned Development Pedestrian Circulation Plan. **Chairman Huebner** commented that if the commercial takes years to come in, that site will be without any pedestrian access. **Commissioner Berger** asked if the church would be putting in their sidewalk. **Ms. Lohmer** stated that the church would not install their portion of the sidewalk until the future expansion occurs. **Commissioner Weinberg** asked if the church would have to install their portion, since the property is being developed as a PD and the sidewalk is part of the PD requirements. **Ms. Lohmer** responded that the sidewalks are installed as each site develops. **Commissioner Weinberg** asked if the Commission could require the church to build their portion of the sidewalk as part of the approval process. **Ms. Lohmer** stated staff does not believe that would be appropriate; **Chairman Huebner** added that would be unduly onerous. **Commissioner Sanchez** commented that if you put the sidewalk in early, you may have to tear it up when development continues. **Commissioner Schmidt** noted that if the sidewalk is included on the east side they are not required to build it until the retail goes in; the sidewalk could be included with the retail Planned Development. **Chairman Huebner** stated that could be years in the future; until that time you would have no pedestrian access to the development. **Commissioner Hagen** noted that the Development Code requires a pedestrian circulation plan in the PD. **Commissioner Schmidt** added that if the sidewalk on the east side is made part of the PD, it will force the west side to put the sidewalk in as retail develops.

Commissioner Weinberg asked if development was restricted to expanding the building; if improvements to the property are being made by putting in an access road, the sidewalk requirement should apply. **Ms. Lohmer** stated there are certain thresholds in meeting new zoning requirements, which were not required when the church was originally developed; stating staff is hesitant to require the sidewalk be installed before the expansion.

Commissioner Burnett asked **Commissioner Schmidt** to expound on his previous comment regarding sidewalk installation on the east side as a requirement of the PD. **Commissioner Schmidt** stated that if the sidewalk is shown on the east side of the primary access easement as part of the Planned Development, it would necessitate that it be constructed when the retail side develops. It would be required in the PD, but would not be required until the retail develops. **Ms. Lohmer** explained that the applicant originally included the sidewalk on the retail side of the property and staff questioned when it would be built. It would not benefit anyone to show the sidewalk in the PD on the east side because it is not within the PD boundary; it does not obligate the other side to install a sidewalk.

Commissioner Schmidt asked if the nursing home came in, would the total site be replatted. **Ms. Lohmer** confirmed, stating the site is currently platted as one 26-acre reserve that would have to be replatted, but the site cannot develop until they come in with zoning. **Commissioner Hagen** commented that there is no requirement for them to come in with a PD either; it could be developed as B-O and it is difficult to plan with this one what might happen in that one. **Commissioner Schmidt** concluded that if the sidewalk is not part of the PD, it may not get built. **Ms. Lohmer** stated whether the Commission or Staff would recommend different zoning is another issue; it depends on the property owners and the Commissioners and members of City Council serving at the time.

WORKSHOP: HOLY CROSS EPISCOPAL PLANNED DEVELOPMENT DISTRICT (CONTINUED)
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Staff stated that because the site is challenging, the Commission should supply sufficient direction and clarity in the feedback to allow staff to work with the applicant to address any concerns. **Chairman Huebner** asked staff to specify the items they wanted the Commission to address. **Mr. Douglas Schomburg, Director of Planning and Code Services**, suggested the Commission first determine appropriate zoning; staff has concerns about any zoning more intense than Business Office, but the Commission could decide Business Office with a CUP is appropriate. The Future Land Use Plan does not provide significant direction; it shows the area as public, which is typically schools, churches, and parks. Staff has additional concerns regarding the access road and good buffering and planning.

Chairman Huebner commented that she would prefer the property be developed as Planned Development District and asked if any Commissioners thought Business Office zoning would be more appropriate. **Commissioner Hagen** stated he did not agree with B-O, but thinks the PD needs more work. **Commissioner Schmidt** agreed it should be Planned Development based on access alone.

Chairman Huebner asked staff if they wanted direction on access and the sidewalks. **Ms. Lohmer** confirmed, adding the Commissioners should provide feedback on anything else necessary to make a recommendation. Commissioner Huebner stated access needs to be provided to the back lots; stating she supports Commissioner Schmidt's suggestion to use the intersection and reconfigure the parking lot; expressed concern about the turning radii in staff's suggestion; and feels pedestrian access needs to be detailed in the PD.

Commissioner Weinberg agreed, stating accessibility on the site is a challenge, but a curb cut off the Grand Parkway will not solve the problem if you are heading east on West RiverPark Drive or south on Wimberley Canyon; and requested that directional arrows and scale be added for clarity.

Commissioner Hagen stated there are fundamental items missing from the PD in terms of acreages, approximate uses, and pedestrian circulation plan that are required by the Development Code; and it is required that the sidewalk be included in Final Development Plan; and stating that more clarity is needed for the park, parking, and acreage to the southeast.

Commissioner Schmidt concurred, stating the access off of Wimberley Canyon Drive was the only way circulation on the site will work and that the sidewalk should be included in the PD. Requesting that clarification for curb dimensions on Exhibit C-3 and the existing pedestrian access sidewalks going to Sparrow Branch Court in Exhibit C-4; noting that a proposal for pedestrian access is needed.

Commissioner Burnett stated he agrees that better access is needed for vehicular traffic and pedestrians; stating that proper use of the PD is the appropriate way to address the challenges of the site, but the lack of definition prevents the PD from being used properly; the absence of information forces this to be more restrictive than it has to be. The hairpin turns in the proposed access will not work for vehicles servicing the nursing home facility.

Commissioner Sanchez expressed preference for access coming in from the other side; stating it will better accommodate emergency vehicles coming to the nursing home facility.

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(CONTINUED)**

Commissioner Davis agreed with all of the Commissioner comments.

Commissioner Berger asked if pedestrian access could be incorporated into the landscape buffer; expressing preference for access off Wimberley Canyon with street access at the rear of the property exiting on to Grand Parkway. *Chairman Huebner* stated the issue with that is the proximity to existing residential; commenting that incorporating the sidewalk into the landscape buffer would prevent connection to the future commercial tracts. Commissioner Berger stated if there were a park in the middle, you could provide additional sidewalk access, possibly a walking trail.

Commissioner Weinberg requested the applicant include what is actually on the church property in the exhibits.

PLANNING AND ZONING COMMISSION LIAISON REPORTS

Commissioner Schmidt reported on the November 05, 2013 City Council meeting; items of interest to the Planning and Zoning Commission included:

- Second consideration of Conditional Use Permit for textile business located at the southwest intersection of U.S. Highway 90A and Brooks Street
- Second consideration of PD Final Development Plan for Imperial Gracepoint Townhomes
- Public Hearing for Amendment Number One to Telfair Central Reserve C
- Public hearing for Montessori School (Retail Center), University Boulevard and New Territory Boulevard; there were no public speakers and first consideration passed unanimously.

Chairman Huebner reported on the November 11, 2013, Development Committee Meeting; discussion focused on Chapter 3, Landscaping Regulations and Signage; stating she has the redline copy if any Commissioner would like to review.

CITY STAFF REPORT

Mr. Douglas Schomburg, Director of Planning and Code Services, stated there will be only one meeting in December, the next meeting will be December 10, 2013.

ADJOURN

There, being no further business to come before the Commission, *Commissioner Schmidt*, seconded by *Commissioner Weinberg*, moved that the meeting adjourn. The motion carried unanimously and the meeting adjourned, time at 8:44 o'clock P.M.

Kathy Huebner, Chairman

(SEAL)